IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1386 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 20/06/2005 in WP NO : 5156 OF 2001 on the file of the High Court.)

Between:

1 B.Subramanyam S/o.Munaiah
O/o. Dy Executive Engineer (Civil) Sub Division APSRTC, Chittoor,
R/o.Thorruur Village Post, Mandal, Pothur, Chittoor District.
2 S.K.Biran Saheb S/o.Mastan Saheb
O/o. Dy Executive Engineer (Civil) Sub Division APSRTC, Chittoor,
R/o.Bandarupally Village, Chandragiri Mandal, Chittoor District.
3 B.Surendra S/o.B.Chengal Naidu
O/o. Dy Executive Engineer (Civil) Sub Division APSRTC, Tirupathi
Chittoor District.
4 D.Kalesha S/o.Sd.Hussain
O/o. Dy Executive Engineer (Civil) Sub Division APSRTC, Madanapally
Chittoor District, R/o.Damaracheruvu Village Chittoor District.

..... APPELLANTS

AND

1 The Executive Engineer (Civil_ APSRTC, Tirupathi. Chittoor district.
2 The Regional Manager, APSRTC Tirupathi, Chittoor District.
3 The executive Director, APSRTC Vikramasimha Region, Nellore.
4 The Vice Chairman and Managing Director APSRTC, Musheerabad, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant:MR.S.SATYAM REDDY

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court made the following :

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1386 of 2005

JUDGMENT: (Per the Honourable Smt. Justice T.Meenakumari)

Aggrieved by the order of the learned single Judge dated 20.06.2005 in W.P.No.5156 of 2001 in dismissing the said Writ Petition, the writ petitioners therein, filed this writ appeal.

The Writ Petition was filed by the appellants herein to declare that the action of the respondents in not regularizing their services as man mazdoors even after completion of 15 years of service, as arbitrary and illegal and consequently direct the respondents to regularize the services of the appellants as Man Mazdoors from the date of their initial appointment with consequential benefits.

Heard both the learned counsel appearing on behalf of the parties.

The learned counsel appearing on behalf of the appellants contended that the appellants have put in more than 15 years of service as NMR workers but they have been denied of regularization and their services have been dismissed with effect from 01.03.2001. From the above, the fact remains that all the appellants are the NMR workers and have completed 15 years of service. In view of the above, we are of the considered view that it is a fit case to be dealt with by any appropriate Forum by way of evidence and accordingly we give liberty to the appellants to move the appropriate Forum for appropriate relief.

With the above observations, the Writ Appeal is disposed of. There shall be no order as to costs.

T.MEENA KUMARI, J

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P.LAKSHMANA REDDY J

Dated:23.08.2005

Ccm